



Town of Arlington

ARLINGTON REDEVELOPMENT BOARD

2022 Special Town Meeting Draft Zoning Bylaw Amendments

March 24, 2022

Introduction and Overview

The Arlington Redevelopment Board (ARB) is the Town's Planning Board, under M.G.L. Chapter 41 § 81. There are five members of the Board. Four are appointed by the Town Manager and the fifth is a gubernatorial designee appointed by the Massachusetts Department of Housing and Community Development. The Board serves as the Town's special permit granting authority for projects which require an Environmental Design Review (EDR) as identified in the Zoning Bylaw. The ARB is also the Town's Urban Renewal Authority under M.G.L. Chapter 121; with Town Meeting approval, the Board may hold property to improve and rehabilitate them to meet community development goals.

The members of the ARB are as follows:

Rachael Zsembery, Chair (Term through 6/30/2023)

Kin Lau, Vice Chair (Term through 1/31/2022)

Eugene Benson (Term through 1/31/2023)

Stephen Revilak (Term through 9/22/2023)

Melisa Tintocalis (Term through 1/31/2023)

Jennifer Raitt, Director of the Department of Planning and Community Development, serves as Secretary Ex-Officio to the ARB.

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Thursday, April 7, 2022**, beginning at 9:00 PM, to hear Articles A, B, and C via Zoom at Thursday, April 7, 2022, beginning at 9:00 PM, via Zoom at <https://town-arlington-ma-us.zoom.us/j/83800493860>, Meeting ID: 838 0049 3860, or by calling (646) 876-9923 Meeting ID 83800493860#.

The articles are presented in the order in which they appear in the Legal Notice and as shown in the meeting details above. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Special Town Meeting, which will begin on Wednesday, May 11, 2022.

The draft language of the proposed amendments to the Zoning Bylaw is available on Thursday, March 24, 2022 and may be viewed at the front counter of the Department of Planning and Community Development at 730 Massachusetts Avenue, at the main desk of the Robbins Library at 700 Massachusetts Avenue, or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov/arb.

Please note that the Zoning Bylaw Amendments have not yet been assigned Article numbers as of March 22, 2022.

Contact Kelly Lynema, Assistant Director of Planning and Community Development, at 781-316-3096 or klynema@town.arlington.ma.us with any questions or comments.

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Summary of Recommended Votes of the Redevelopment Board

This page is reserved for a listing of all final votes taken by the Board.

Zoning Bylaw Amendments: Family Child Care

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE A

ZONING BYLAW AMENDMENT / FAMILY CHILD CARE

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 Definitions, Section 5.4.3 Use Regulations for Residential Districts, Section 5.5.3 Use Regulations for Business Districts, and Section 5.6.3 Use Regulations for MU, PUD, I, T, and OS DISTRICTS to allow family child care as a by right use and to set standards and requirements in all Residential, Business, and MU districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 2:

Family Child Care: a private residence which on a regular basis, receives for temporary custody and care during part or all of the day, children under 7 years of age, or children under 16 years of age if those children have special needs, and receives for temporary custody and care for a limited number of hours children of school age under regulations adopted by the board. The total number of children under 16 in a family child care shall not exceed 10, including participating children living in the residence. Family child care centers shall comply to the Commonwealth of Massachusetts Standards for the Licensure or Approval of Group Day Care Centers.

Amend SECTION 5.4.3:

Class of Use	R1	R2	R3	R4	R5	R6	R7
Accessory Uses							
Family child care ¹	SP Y	SP Y	SP Y	SP Y	SP Y	SP Y	SP Y

¹ Subject to Arlington Redevelopment Boards Rules and Regulations.

Amend SECTION 5.5.3:

Class of Use	B1	B2	B2A	B3	B4	B5
Accessory Uses						
Family child care ¹	SP Y	SP Y	SP Y	SP Y	SP Y	SP Y

¹ Subject to Arlington Redevelopment Boards Rules and Regulations.

Amend SECTION 5.6.3:

Class of Use	MU	PUD	I	T	OS
Accessory Uses					
Family child care ¹	SP Y	Y			

¹ Subject to Arlington Redevelopment Boards Rules and Regulations.

Zoning Bylaw Amendments: Signs

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE B

ZONING BYLAW AMENDMENT / SIGNS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 Definitions and Section 6.2 Signs to create a new sign type located at shared mobility and electric vehicle charging stations; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 2:

Shared Mobility Docking Station: Parking for bicycles or other non-motorized vehicles that is made available for an hourly rental fee as part of a business operating docking stations.

Electric Vehicle Charging Station: A structure that supplies electric energy for the recharging of electric vehicles.

Amend SECTION 6.2.1:

6.2.1.E Exemptions. The following signs are not regulated under this Section:

- (1) Any sign, posting, notice or similar signs placed, installed, or required by law by a town, county, or a federal or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including the following:
 - Emergency and warning signs necessary to warn of dangerous and hazardous conditions and that serve to aid public safety or civil defense;
 - Traffic signs erected and maintained by an authorized public agency;
 - Signs required to be displayed by law, regulation, or ordinance;
 - Signs directing the public to points of interest;
 - Signs showing the location of public facilities; and
 - Numerals and letters identifying an address from the street to facilitate emergency response and compliant with Town requirements.
- (2) Non-illuminated non-commercial signs on single-family, two-family, and three-family residences and duplexes in residential zoning districts;
- (3) Non-illuminated signs which provide incidental information including, but not limited to credit card acceptance, business hours, open/closed, no soliciting, directions to services and facilities, or menus, provided these signs do not exceed an aggregate of six square feet in sign area;
- (4) Building identification signs not exceeding two square feet in area for residential buildings and four square feet in area for nonresidential and mixed-use buildings;

Zoning Bylaw Amendments: Signs

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Building Identification Sign
(See Section 6.2.1(E)(2))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (5) Signs not exceeding 11 x 17 inches posted on a community bulletin board;
- (6) Landmark signs;
- (7) Historical plaques and commemorative signs erected and maintained by non-profit organizations, building cornerstones, and date-constructed stones not exceeding four square feet in area;
- (8) Signs not readable from the public right-of-way, including:
 - Signs or displays located entirely inside of a building and not visible from the building's exterior, such as those for home occupations described in Section **Error! Reference source not found.**;
 - Signs intended to be readable from within a parking area or Town park but not readable beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way; and
 - Signs located within Town of Arlington recreation facilities; and
- (9) Any notice as defined in [Title V, Article 1](#) of the Town Bylaws;
- (10) Signage necessary or appurtenant to the placement or operation of a Shared Mobility Docking Station (all illumination permitted) no larger than 15 square feet, including those located on public property, Town rights-of-way, the Minuteman Bikeway, and waterways; and
- (11) Signage or digital display areas with a display area no larger than 12 square foot in size located on public or private property as a component of an Electric Vehicle Charging Station.

Amend SECTION 6.2.3

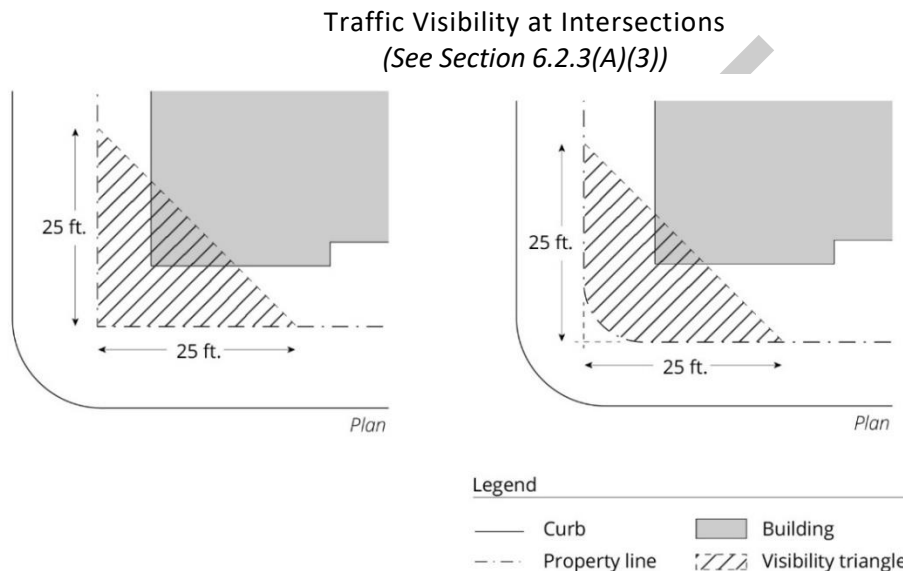
6.2.3 General Restrictions for All Signs

- A. Location Restriction. Except where specifically authorized in this Section, signs may not be placed in the following locations:

Zoning Bylaw Amendments: Signs

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

- (1) Within, on, or projecting over public property, Town rights-of-way, and the Minuteman Bikeway, or waterways, except signs specifically authorized by this Section 6.2, specifically Shared Mobility Docking Stations;
- (2) Any location that obstructs the view of any authorized traffic sign, signal, or other traffic control device;
- (3) On property at any corner formed by intersecting streets, within the triangular area formed between the property lines and a diagonal line joining points on the property lines 25 feet from the point of their intersection, or in the case of rounded property line corners, the triangular area between the tangents to the curve at such corner and a diagonal line joining points on the tangents 25 feet from the point of their intersection;



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) Areas allowing for ingress to or egress from any door, window, vent, exit way or fire lane required by the Building Code or Fire Department regulations currently in effect;
- (5) Off the premises of the business to which the commercial advertising sign refers, except as provided in Section 6.2.6;
- (6) On fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for a manufacturer's or installer's identification, appropriate warning signs and placards, and information required by law;
- (7) Where they cover the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, or another architectural feature;
- (8) Tacked, painted, burned, cut, pasted, or otherwise affixed to trees, rocks, light and utility poles, posts, fences, ladders, benches, or similar supports that are visible from a public way except for notices as defined in Title V, Article 1, of the Town Bylaws; and
- (9) On the roof of a building or structure.

Zoning Bylaw Amendments: Nonconforming Single-Family or Two-Family Dwellings
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE C

**ZONING BYLAW AMENDMENT/ NONCONFORMING SINGLE-FAMILY
OR TWO-FAMILY DWELLINGS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 8.1.3 Nonconforming Single-Family or Two-Family Dwellings to modify or remove Section 8.1.3 C; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Draft zoning language will be forthcoming by the Redevelopment Board.

DRAFT